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OGC 63-2577

28 AUG 1963

MEMORANDUM FOR: Special Support Assistant to the
Deputy Director (Support)

SUBJECT: Home Leave

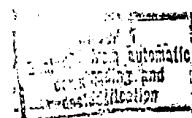
1. As you know, the Overseas Differentials and Allowances Act, enacted 6 September 1960, for the first time made available to this Agency, as well as to the Government generally, a home leave entitlement. Prior to that time only Foreign Service (FS) personnel received home leave not chargeable against annual leave. However, the home leave now available to this Agency and the Government differs from that available to the FS in that the latter may be granted to the FS employee after 13 months' service and must be granted within 36 months' service abroad. CIA home leave may not be granted until 24 months' service outside the United States. (For this purpose, the United States includes Alaska and Hawaii.) This change in law, together with the complications resulting from the fact that much of our service [REDACTED] has raised a number of questions concerning home leave and has resulted in recent support bulletins [REDACTED] and actions based on them, which, it appears, have caused some confusion.

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support bulletins thereupon should be modified accordingly.

3. Home leave for contract agents could be provided in their contracts.

4. It is understood that staff agents under nonofficial cover in some instances are granted home leave by their cover entities, or in accordance with the practice in the cover industry or field, for service of less than two years outside the United States. We see no legal objection to this, and indeed, it would be difficult to hold that in doing so the staff agent is doing other than living his cover. However, in those instances in which home leave is taken for cover purposes before 24 months have been served, it would not be proper to also grant the regular home leave.

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Associate General Counsel